IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL SECOND APPEAL No. 259 of 2006

KARNAIL SINGH
V/S
D.T.O.& ANR.

Mr. DS DEV, for the appellant / petitioner

Date of Order : 1.8.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the appellant and perused the impugned judgment of the learned lower Appellate Court.

The learned lower Appellate Court has found that even according to the plaint averments, on 15.3.2000 the plaintiff appeared before the defendant No.1, and projected his case about vehicle being used for private purposes, and also produced the affidavits, but his stand was not accepted, and an order was passed directing the plaintiff to deposit Rs.14,375/-, and since even according to the plaintiff, such order has been passed, that order is appealable, and admittedly, no appeal has been filed. In that view of the matter, it has been found that the plaintiff is not entitled to the injunction prayed for. I do not find any error in the conclusions arrived at by the learned lower Appellate Court after reading the averments of the plaint, which were read to me.

The appeal thus, does not involve any substantial question of law. The same is, therefore, dismissed summarily.

(N P GUPTA),J.

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